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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/009,774	03/20/2002	Jean-Pierre Glize	216735US2PCT	1573
22850	7590	02/23/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			CRENSHAW, MARVIN P	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 02/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/009,774

Applicant(s)

GLIZE, JEAN-PIERRE

Examiner

Marvin P. Crenshaw

Art Unit

2854

AW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12, 13, 18 – 21, 23 and 29 - 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oshino et al. in view of Eisaku.

With respect to claims 12 and 23, Oshino et al. teaches a ticket printing device (Fig. 1) comprising at least one thermal print head (1), driving (21) means arranged to move a ticket (P) across the print head presenting a first principal face of the ticket to the print head and means for guidance capable of imparting a direction of travel to the ticket and wherein said driving means includes a block (5) applied against a second face of the ticket, opposite to the first principal face.

However, Oshino et al. doesn't teach a first powered rotating roller capable of causing the ticket to move and a second idling roller extending beyond the powered roller which is used to drive tickets of different widths in the direction of travel.

Eisaku including a first powered rotating roller (8) having an axis of rotation at approximately 90° relative to the direction of travel and configured to move the ticket, and a second idling roller (14), extending beyond the powered roller, which allows the driving mechanism and the guidance mechanism to drive tickets of different widths in the direction of travel.

It would have been obvious to modify Oshino et al. to have a first powered rotating roller capable of causing the ticket to move and a second idling roller extending beyond the powered roller which is used to drive tickets of different widths in the direction of travel as taught by Eisaku to enable the split roller to be independently rotated and prevent a frictional force from being generated at the part of direct contact of the thermal head.

With respect to claim 13 and 24, the powered roller and the idling roller of the proposed modified device of Oshino et al. are cylindrical in shape, co-axial, similar in radius and substantially juxtaposed.

With respect to claim 18 and 29, Oshino et al. teaches a device (Fig. 2) comprising means of supporting the print head including a flexible plate (4) fixed on one hand to the print head and on the other hand to a mounting integral (10) with the block together with a rigid plate (3) fixed to the print head and equipped with an end bar (26) substantially parallel to the direction of travel and seated so as to rotate about an axis substantially parallel to the direction of travel in an aperture incorporated into the mounting such that said rigid plate is capable of preventing pitching motion of the print head while at the same time allowing a rolling motion about said axis.

With respect to claim 19 and 30, Oshino et al. teaches a device further comprising means (31) of pushing the plate against the block, the print head being in a position facing the block.

With respect to claim 20 and 31, to have a device wherein the pushing means includes an electro-magnetic actuated electrically as claimed is merely automating the

manual activity of Oshino et al., which would be obvious for making the device more efficient.

With respect to claim 21 and 32, Oshino et al. doesn't teaches a device wherein the thermal print head is capable of printing barcodes but it is inherent since printers can be used to print any desired graphic.

Claims 14 – 16, 22, 25 – 27 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oshino et al. in view of Eisaku, and further in view of Fujitsu.

Oshino et al. and Eisaku together teach all that is claimed, as discussed in the above rejection of claims 12, 13, 18 – 21, 23 and 29 - 32, except a device wherein the guidance means includes facing the powered roller, at least one wall parallel to an edge of the ticket forming a tab capable of defining the direction of travel of the ticket while the block forms a chosen angle with said direction of travel, a device wherein the guidance means includes along the direction of travel an upstream tab and a downstream tab substantially juxtaposed and placed on either side of the powered roller, including the device wherein the block forms in a direction from the powered roller towards the print head, an angle between 89 and 90 , and a device wherein the ticket includes magnetic information and the device further comprises a magnetic recording head while the print head is arranged to operate in conjunction with the magnetic recording station to print barcodes matching the magnetic information recorded on the ticket.

Fujitsu teaches a device wherein the guidance (Fig. 10, 48) means includes facing the powered roller, at least one wall parallel to an edge of the ticket forming a tab capable of defining the direction of travel of the ticket while the block forms a chosen angle with said direction of travel, a device wherein the guidance (Fig. 10, 48) means includes along the direction of travel an upstream tab (on one side of the roller) and a downstream tab (on the other side of the roller) substantially juxtaposed and placed on either side of the powered roller and a device (Fig. 1) wherein the ticket includes magnetic information and the device further comprises a magnetic recording head (5) while the print head is arranged to operate in conjunction with the magnetic recording station to print barcodes matching the magnetic information recorded on the ticket.

With respect to claim 14, 15, 25 and 26, it would have been obvious to modify Oshino et al. as modified by Eisaku to have a guidance means as taught by Fujitsu to guide and hold the ticket in it's proper position as it is being printed on.

With respect to claim 22 and 33, it would have been obvious to modify the ticket device of Oshino et al. as modified by Eisaku to have a device wherein the ticket includes magnetic information and the device further comprises a magnetic recording head while the print head is arranged to operate in conjunction with the magnetic recording station to print barcodes matching the magnetic information recorded on the ticket as taught by Fujitsu to read the information on the ticket then to print the information on the ticket other side.

With respect to claim 16 and 27, it would be obvious through a slight tolerance in a manufacturers build that the block would be in the region of 89.7.

Claim 17 and 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oshino et al. in view of Eisaku, and further in view of Brooks et al.

Oshino et al. and Eisaku together teach all that is claimed, as discussed in the above rejection of claims 12, 13, 18 – 21, 23 and 29 - 32, except a thermal print head includes a plurality of resistance heat elements capable of releasing heat to enable printing of the ticket and the device further comprising means to electrically test the plurality of resistance elements, one by one, said testing means utilizing an addressing module for the plurality of resistance elements.

Brooks et al. teaches a thermal print head (11) includes a plurality of resistance heat elements capable of releasing heat to enable printing of the ticket and the device further comprising means (See col. 6, lines 7 – 66) to electrically test the plurality of resistance elements, one by one, said testing means (19) utilizing an addressing module for the plurality of resistance elements.

It would have been obvious to modify the ticket printing device of Oshino et al. as modified by Eisaku to have a thermal print head includes a plurality of resistance heat elements capable of releasing heat to enable printing of the ticket and the device further comprising means to electrically test the plurality of resistance elements, one by one, said testing means utilizing an addressing module for the plurality of resistance elements as taught by Brooks et al. to ensure that ink is being properly extracted from the print head and to test the resistance elements to ensure that they are functioning correctly.

Response to Arguments

Applicant's arguments filed on November 11, 2003 have been fully considered but they are not persuasive. Oshino et al. as modified with Eisaku teach all that is claimed in the above rejection. Oshino et al. teaches the structure of having a thermal printer.

Eisaku teaches a segmented block roller which has a powered roller and an idling roller. Also, the segmented roller is capable of guiding the ticket through path of the printer because of the length of the rollers.

With respect to the applicant's argument of Oshino and Eisaku is based on hindsight reconstruction, the combination is proper. It would have been obvious to one of ordinary skill in the art to combine Oshino and Eisaku to provide a versatile thermal printer to be able to drive a medium of different widths to be printed on.

With respect to the applicant's hindsight argument of Oshino, Eisaku and Fujitsu is based on hindsight reconstruction, the combination is proper. Specifically, Oshino and Eisaku teach the claimed invention. Fujitsu is proper to add because he further adds an improved means for guiding the ticket in the printer.

With respect to the applicant's hindsight argument of Oshino, Eisaku and Brooks is based on hindsight reconstruction, the combination is proper. Specifically, Brooks adds an efficient way to release heat for thermally printing the ink on the ticket.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marvin P. Crenshaw whose telephone number is (571) 272-2158. The examiner can normally be reached on Monday - Thursday 7:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

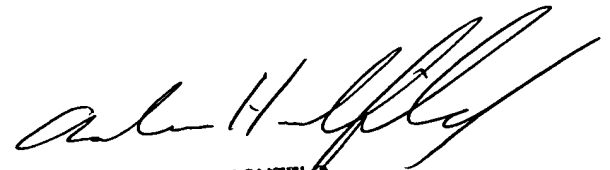
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



MPC

February 10, 2004



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